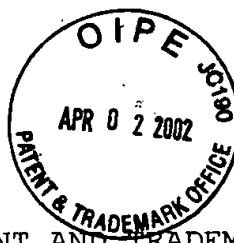


3818.01-1

1



RECEIVED  
APR 04 2002  
TECH CENTER 1600/2900  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
THOMAS HOFMANN, ) Group Art Unit: N/A  
Serial No.: 10/056,524 ) Examiner: N/A  
Filed: January 23, 2002 )

For: ALKYLARYL POLYETHER ALCOHOL  
POLYMERS FOR TREATMENT AND PROPHYLAXIS  
OF SNORING, SLEEP APNEA, SUDDEN  
INFANT DEATH SYNDROM AND FOR  
IMPROVEMENT OF NASAL BREATHING

BOX IDS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on March 26, 2002.

  
\_\_\_\_\_  
Hana Verny (Reg. No. 30,518)

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. 1.97(b)

The information disclosure statement submitted herewith is being filed within three months of the filing date of the continuation application and/or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR

1.97(b) .

The citations listed on the attached PTO 1449, along with the copies of enclosed references, provide the background and may be material to the examination of the above-identified application and are, therefore, submitted in compliance with the duty of disclosure in 37 C.F.R. 1.56, 1.97 and 1.98.

Some of the references may have been disclosed in the application and provide either the background for the invention or support for practicing it. The designation of references corresponds to the designation given in the Form 1449.

Reference A. Patent No. 2,989,437, issued on June 20, 1961, by Milton Wruble, et al., Anti-Inflammatory and Anti-Bacterial Decongestant Nasal Spray Compositions. This reference discloses decongestant nasal spray preparation comprising a combination of antibiotic neomycin, anti-inflammatory corticosteroid and phenylepinephrine in an aerosol-typ liquid vehicle.

Reference B. Patent No. 4,668,513, issued on May 26, 1987, by Dietrich Reichert, Method For Combating Snoring. This reference describes a method for overcoming snoring by administering a surface active compound compatible with mucous membranes. Representative surface active compounds are, for example, sodium laurylsulfate, sulfosuccinate benzalkonium halides, amphoteric surfactants, Tween 80 or 20, Triton, lecithin.

Reference C. Patent No. 5,502,067, issued on March 26, 1996, by Julia A. Morgan, Treating Apneahypopnea/Snoring in Humans. This

reference discloses a method for treatment of sleep apnea, hypopnea and snoring by administering a pilocarpine compound, such as pilocarpine hydrochloride administered topically or nasally.

Reference D. Patent No. 5,516,765, issued on May 14, 1996, by Guy Andermann, Therapeutic Method for the Treatment or Prevention of Snoring. This reference discloses the use of mucopolysaccharides of the glycoasaminoglycane type, such as sodium chondroitin sulfate, hyaluronic acid and pentosine sulfaic acid. The composition is administered nasally.

Reference E. Patent No. 5,618,543, issued on April 8, 1997, by Dennis H. Harris et al., Composition and Method for Reducing Snoring and Respiratory Problems. This reference discloses a composition for reducing snoring, allergy and sinus symptoms using natural enzymes such as protease, anylase, lipase and cellulose and herbs, such as acerola and yellowdock. The composition is administered as capsules or tablets.

Reference F. Patent No. 5,512,270, issued on April 30, 1996, by Andrew J. Ghio, et al., Method of Inhibiting Oxidants Using Alkylaryl Polyether Alcohol Polymers. This reference is directed to the use of alkylaryl polyether alcohol polymers as antioxidants to suppress oxidant chemical reactions.

Reference G. Patent No. 5,569,679, issued on October 29, 1996, by Stanley W. Jacob, Pharmacologic Management of Snoring. This reference concerns a pharmacologic management of snoring by instilling intranasally 1-20% solution of methylsulfonylmethane.

Reference M. International Publication No.: WO 96/30028, published on October 3, 1996, by Andrew J. Ghio, et al., Method for Mucociliary Clearance in Cystic Fibrosis Patients Using Alkylaryl Polyether Alcohol Polymers. This reference describes a method of treatment of cystic fibrosis patients for mucociliary clearance by introducing aerosolized alkylaryl polyether alcohol polymer.

Reference N. International Publication No.: WO 97/38699, published on October 23, 1997, by Andrew J. Ghio, et al., Use of Alkylaryl Polyether Alcohol Polymers for the Treatment of Chronic Pulmonary Inflammation. This reference describes the use of alkylaryl polyether alcohol polymers for treatment of chronic pulmonary inflammation by administering said polymer by aerosolization.

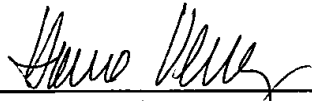
Reference O. German Patent DE 3917109A1, filed May 25, 1989, granted June 12, 1990, by Gottschalk, Hans Joachim, Method for Reducing of Snoring. This reference describes a method for reducing snoring by providing a composition consisting of a surfactant, preservation compound and bactericide or fungicide.

This Information Disclosure Statement under 37 C.F.R. 1.56, 1.97, and 1.98 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

If fees are required with the filing of these documents, the Commissioner is authorized to charge such fees to Deposit Account No. 16-1331.

Respectfully submitted,

Date: March 26, 2002

  
\_\_\_\_\_  
Hana VERNY (Reg. No. 30,518)  
Attorney of Record

PETERS, VERNY, JONES & SCHMITT, LLP  
385 Sherman Avenue, Suite 6  
Palo Alto, CA 94306  
TEL 650 324 1677  
FAX 650 324 1678  
Atty. Dkt.: 3818.01-1 (HV)